



Syngenta Biotechnology, Inc.
Patent Department
P.O. Box 12257
3054 Cornwallis Road
Research Triangle Park, North Carolina 27709-2257
Tel. 919 765-5071
Fax 919 541 8689

Attention of:	David Lamberton	From:	Mary Kakefuda
Company:	USPTO	Telephone:	919-765-5071
Address:		Fax:	919-541-8689
Fax:	703-746-8694	Date:	April 25, 2003
No. of pages (including cover sheet)	3	Re:	09/770,509

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL, MAY BE ATTORNEY-CLIENT PRIVILEGED, AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. UNAUTHORIZED USE, DISCLOSURE OR COPYING IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US AT (919) 597-3031 FAX NUMBER (919) 541-8689

Dear Examiner Lamberton ,

Attached for filing in 09/770,509 is the following:

1. A Response to the Restriction Requirement dated March 26, 2003.

Respectfully submitted,

Mary Kakefuda
Reg. No. 39,245
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#18

In re application of

Katagiri *et al.*

Appl. No. 09/770,509

Filed: January 25, 2001

For: Oomycete FtsZ-mt as a Target for
Antimicrobial-Specific Biocides

Art Unit: 1636

Examiner: David Lamberton

Atty Docket: 50365PPDUSNP

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by facsimile to the United States Patent and Trademark Office on the date shown below to the fax number (703) 746-8694: Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Kakefuda
Type or print nameMary Kakefuda
Signature4/25/03
DateREPLY TO RESTRICTION/ELECTION REQUIREMENTCommissioner for Patents
Washington, D.C. 20231

Sir:

In the Office Action mailed March 26, 2003, the claims were restricted into thirteen (13) groups. Accordingly, Applicants hereby elect the claims of group I (claims 1, 2, 6, 9, 10, 12, 13, 17, 20 and 21 drawn to a method for identifying antimicrobial compounds that bind to or inhibit FtsZ-mt1 (SEQ ID NO:1 polynucleotide/SEQ ID NO:2, encoded protein) without traverse. However, Applicants reserve their right to Petition from the election requirement under 37 C.F.R. § 1.144.

It is believed that there is no need for an Extension of Time for entry of this paper. However, if it is deemed that any such extension or any other fees are necessary to maintain pendency of this application, then the Office is hereby authorized to charge Deposit Account No. 50-1744 (in the name of Syngenta

-2-

Katagiri *et al.*
Application No. 09/770,509

Biotechnology Inc.) for payment of such fees.

Syngenta Biotechnology, Inc.
P. O. Box 12257
3054 Cornwallis Road
Research Triangle Park, NC 27709-2257
Telephone: 919-765-5071
April 25 2003

Respectfully submitted,


Mary Kakefuda

Attorney for Applicants
Registration No. 39,245